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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,926	11/30/2001	Shawn P. Delany	21756-012300	4296
51206 7590 02/26/2007 TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER JEAN GILLES, JUDE	
			ART UNIT 2143	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	02/26/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/998,926

Applicant(s)

DELANY ET AL.

Examiner

Jude J. Jean-Gilles

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-21, 23-28, 35-38, 44-46, 48, 49, 51 and 52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-21, 23-28, 35-38, 44-46, 48, 49, 51 and 52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/30/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

This Action is in regards to the Reply received on 12/05/2006.

Response to Amendment

1. This action is responsive to the application filed on 12/05/2006. Claims 15, 23-27, 35, 44, 48, 51, and 52 have been amended. Claims 22, 39-34, 39-43, 47, and 50 have been canceled herein. No claims have been added herein. Therefore claims 15-21, 23-28, 35-38, 44-46, 48, 49, 51 and 52 are now pending in the application, and represent a method and apparatus for a "Determining group membership".

Response to argument

2. Applicants have presented no arguments with respect to the Previous Rejection mainly because **claims 22-27, 39, 47, and 50-52** were objected to as being dependent upon a rejected based claim and would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims in the Previous Office Action and claims 6, 7 and 15 were indicated allowable if rewritten in independent form.

The Examiner thanks the applicants for amending claims 15, 23-27, 35, 44, 48, 51, and 52 to incorporate claims. However, in light of the prior art references resulting from an updated search, the Examiner respectfully withdraws the allowability of claims 15, 35, 44, and 48 (see notice of cited reference PTO form 892 and the rejection of claim 1 and 11 below).

In response to Applicant's arguments, 37 CFR § 1.11(c) requires applicant to "clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must show the amendments avoid such references or objections."

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 15-21, 23-28, 35-38, 44-46, 48, 49, 51 and 52** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lektion et al (hereinafter Lektion) U.S. Patent No. 6,418,446 in view of Burkett et al (hereinafter Burkett) U.S. Patent No. 6,671,853 B1.

Regarding claim 1: Lektion discloses the invention substantially as claimed.

Kavacheri teaches a method for identifying members of a group (fig. 3A-D), comprising the steps of:

determining dynamic members of a first group based on a rule that defines dynamic membership for said first group, wherein said rule is stored in a dynamic rule attribute of an identity profile of said first group (column 3, lines 40-57; Note that as a rule, will become a group node and that the ID attribute is the ID profile of the 1st group);

storing an identification of each of said dynamic members of said first group (column 3, lines 40-57);

determining nested members of said first group (column 12, lines 31-37);

storing an identification of each of said nested members of said first group (column 13, lines 5-23);

receiving a request to report members of said first group, said request is received subsequent to said step of storing (fig. 3D; column 12, lines 22-38; The output DOM tree is similar to the membership report stated in the claim); and

reporting said dynamic members and said nested members of said first group in response to said request, said reporting of said dynamic members is performed based on said stored identification of said dynamic members and said reporting of said nested members is performed based on said stored identification of said nested members (fig. 3D; column 12, lines 22-51). However, Lektion does disclose the details of such group members of the first group being dynamic and static members within the nested group members.

In the same field of endeavor, Burkett et al discloses an" *... In a first aspect, this technique comprises: processing each of a plurality of nodes of an input Document Object Model (DOM) tree representing a document to be selectively streamed, wherein each of the nodes has either a static indicator or a dynamic indicator associated therewith; streaming each of the processed nodes which has the static indicator to a serialized binary output stream; and streaming each of the processed nodes which has the dynamic indicator to one or more non-binary output files. This technique may*

further comprise: processing a transition from binary mode to tag mode upon detecting a change from processing nodes having the static indicator to processing nodes having the dynamic indicator; and processing a transition from tag mode to binary mode upon detecting a subsequent mode change wherein the processed nodes had the dynamic indicator but now have the static indicator..." [see *Burkett*; column 4, lines 30-46].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Burkett's teachings of using dynamic and static members within the nested group members with the teachings of Lektion, for the purpose of improving the ability of a network "...to provide a technique should to overcome known performance problems that result when parsing large documents, without introducing new performance inefficiencies..." as stated by Burkett in lines 6-8 of column 4. By this rationale, **claim 1** is rejected.

Regarding claims 16-21, 23-28, 35-38, 44-46, 48, 49, 51 and 52 the combination Lektion- Burkett discloses:

16. (Previously Presented) A method according to claim 15, wherein:
said first group includes one or more static members [see *Burkett*; column 4, lines 30-46].

an identification of each of said static members is stored in a static member attribute for said identity profile of said first group; and said identification of each of said dynamic members is stored in said static member attribute for said identity profile of said first group [see *Burkett*; column 4, lines 30-65].

17. (Previously Presented) A method according to claim 15, wherein:

said first group includes one or more static-members [see *Burkett*; column 4, lines 30-46];

an identification of each of said static members is stored in a static member attribute for said identity profile of said first group [see *Burkett*; column 4, lines 30-65];

said identity profile of said first group also includes an expansion attribute; and
said method can only be performed if said expansion attribute includes an appropriate value (see *Lecton*; column 3, lines 40-57; column 13, lines 5-23).

18. (Previously Presented) A method according to claim 17, wherein:

said method can only be performed for an entity having access to said expansion attribute and said dynamic rule attribute [see *Burkett*; column 4, lines 30-65].

19. (Original) A method according to claim 15, wherein:

said steps of determining and storing are automatically repeated (see *Lecton*; column 3, lines 40-57; column 13, lines 5-23).

20. (Original) A method according to claim 15, wherein:

said steps of determining, storing and receiving are performed by an integrated identity and access system (see *Lecton*; column 3, lines 40-57; column 13, lines 5-23).

21. (Original) A method according to claim 20, wherein:

said integrated identity and access system is capable of performing authorization services based on membership in said first group.

23. (Currently Amended) A method according to claim -2-g 15, wherein:

said nested members include members of multiple levels of nested groups.

24. (Currently Amended) A method according to claim -2--2 15, wherein:

said step of determining nested members includes recursively determining members of group members.

25. (Currently Amended) A method according to claim -2--2 15, wherein:

said first group includes one or more static members ; and

said step of reporting includes reporting said static members [see *Burkett*; column 4, lines 30-65].

26. (Currently Amended) A method according to claim 15, wherein said step of determining nested members includes the steps of:

determining all static group members of said first group [see *Burkett*; column 4, lines 30-65].

determining all static and dynamic members of said static group members of said first group [see *Burkett*; column 4, lines 30-65];

determining all static group members of said static group members of said first group; and determining all members of said static group members of said static group members of said first group [see *Burkett*; column 4, lines 30-65].

27. (Currently Amended) A method according to claim 15 wherein:

said first group and nested groups of said first group include rules defining criteria for being dynamic members [see *Burkett*; column 4, lines 30-65]; and

said step of determining dynamic members includes the steps of determining a normalized set of said rules and determining which users are defined by

said normalized set of said rules, said users defined by said normalized set of said rules are said dynamic members of said first group (see Lection; column 3, lines 40-57).

28. (Original) A method according to claim 15, wherein:

said first group includes one or more static members; and

said step of reporting includes reporting said static members [see *Burkett*; column 4, lines 30-65].

35. (Currently Amended) One or more processor readable storage devices having processor readable code embodied on said processor readable storage devices, said processor readable code for programming one or more processors to perform a method comprising the steps of:

determining dynamic members of a first group based on a rule that defines dynamic membership for said first group, wherein said rule is stored in a dynamic rule attribute of an identify profile of said first group [see *Lection column 3, lines 40-57*; see *Burkett*; column 4, lines 30-46];

storing an identification of each of said dynamic members of said first group (column 3, lines 40-57);

determining nested members of said first group, said nested members include members of multiple levels of nested groups (see Lection; column 12, lines 31-37);

storing an identification of each of said nested members of said first group (see Lection; column 13, lines 5-23);

receiving a request to report members of said first group, said request is received subsequent to said step of storing (see Lection; fig. 3D; column 12, lines 22-38); and

reporting said dynamic members and said nested members of said first group in response to said request, said reporting of said dynamic members is performed based on said stored identification of said dynamic members and said reporting of said nested members is performed based on said stored identification of said nested members [see Lection; fig. 3D; column 12, lines 22-51; see *Burkett*; column 4, lines 30-46].

36. (Original) One or more processor readable storage devices according to claim 35, wherein:

said first group includes one or more static members; and said step of reporting includes reporting said static members [see *Burkett*; column 4, lines 30-65].

37. (Original) One or more processor readable storage devices according to claim 36, wherein:

said steps of determining and storing are automatically repeated.

38. (Original) One or more processor readable storage devices according to claim 36, wherein:

said steps of determining, storing and receiving are performed by an integrated identity and access system(see Lection; column 3, lines 40-57).

44. (Currently Amended) An apparatus that can determine members of a group, comprising:

a communication interface (see Lection; fig. 1, items 16 and 22); and
one or more processors in communication with said communication interface
(see Lection; fig. 1, item 12), said one or more processors perform a method comprising
the steps of:

determining dynamic members of a first group based on a rule that defines
dynamic membership for said first group, wherein said rule is stored in a dynamic rule
attribute of an identity profile of said first group and said first group includes one or more
static members (see *Lection column 3, lines 40-57 see Burkett; column 4, lines 30-46*),

storing an identification of each of said dynamic members of said first
group [*column 3, lines 40-57; see Burkett; column 4, lines 30-46*],

determining nested members of said first group, said nested members
include members of multiple levels of nested groups (see Lection; column 12, lines 31-
37);

storing an identification of each of said nested members of said first group
(see Lection; column 13, lines 5-23);

receiving a request to report members of said first group, said request is
received subsequent to said step of storing (see Lection; fig. 3D; column 12, lines 22-
38), and

reporting said static members said dynamic members, and said nested
members of said first group in response to said request, said reporting of said
dynamic members is performed based on said stored identification of said dynamic

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members and said reporting of said nested members is performed based on said stored identification of said nested members [see *Burkett*; column 4, lines 30-46].

45. (Original) An apparatus according to claim 44, wherein:
said steps of determining and storing are automatically repeated (see Lection; column 3, lines 40-57).

46. (Original) An apparatus according to claim 44, wherein:
said steps of determining, storing and receiving are performed by an integrated identity and access system (see Lection; column 3; lines 40-57)..

48. (Currently Amended) An integrated identity and access system comprising:
an identity system adapted to determine dynamic members of a first group based on a rule that defines dynamic membership for said first group, wherein said rule is stored in a dynamic rule attribute of an identity profile of said first group, store an identification of each of said dynamic members of said first group, determine nested members of said first group (see Lection; column 12, lines 31-37), store an identification of each of said nested members of said first group (see Lection; column 13, lines 5-23), receive a request to report members of said first group, said request is received subsequent to said step of storing, and report said dynamic members and said nested members of said first group in response to said request(see Lection; fig. 3D; column 12, lines 22-38), said reporting of said dynamic members is performed based on said stored identification of said dynamic members and said reporting of said nested members is performed based on said stored identification of said nested members [see

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Lecture column 3, lines 40-5; column 3, lines 40-57; see Burkett; column 4, lines 30-46];
and

an access system adapted to perform authentication services based on membership in said first group (see *Lecture*; column 1, lines 43-65).

49. (Previously Presented) The integrated identity and access system of claim 48, wherein:

said first group includes one or more static members [*see Burkett; column 4, lines 30-65*];

an identification of each of said static members is stored in a static member attribute for said identity profile of said first group [*see Burkett; column 4, lines 30-65*]; and said identification of each of said dynamic members is stored in said static member attribute for said identity profile of said first group (see *Lecture*; column 3, lines 40-57; column 13, lines 5-23).

51. (Currently Amended) The integrated identity and access system of claim 48, wherein the identity system, is adapted to determine nested members by:

determining all static group members of said first group [*see Burkett; column 4, lines 30-65*];

determining all static and dynamic members of said static group members of said first group [*see Burkett; column 4, lines 30-65*];

determining all static group members of said static group members of said first group; and determining all members of said static group members of said static group members of said first group [*see Burkett; column 4, lines 30-65*].

52. (Currently Amended) The integrated identity and access system of claim 48, wherein said first group and nested groups of said first group include rules defining criteria for being dynamic members and the identity system is adapted to determine dynamic members by determining a normalized set of said rules and determining which users are defined by said normalized set of said rules, said users defined by said normalized set of said rules are said dynamic members of said first group [see *Burkett*; column 4, lines 30-65].

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Conclusion

5. **THIS ACTION IS MADE NON-FINAL.** Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

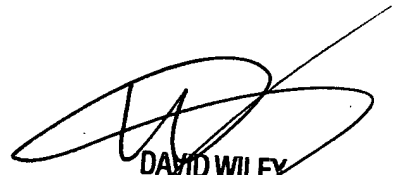
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles

Patent Examiner

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DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

JJG

February 07, 2007